

UNITED STATES DISTRICT COURT
for the
Eastern District of California



UNITED STATES OF AMERICA,

v.

Case No. **1:20-cr-00162-DAD-BAM**

MORGAN WENCY VENTURA-SANCHEZ,

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at: **U.S. DISTRICT COURT, 2500 Tulare Street, Fresno, California**

Place

U.S. MAGISTRATE JUDGE BARBARA A. McAULIFFE in Courtroom 8 (unless another courtroom is designated)

on **DECEMBER 9, 2020 at 1:00 PM**

Date and Time

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance and Compliance Bond, if ordered.

TO U.S. MARSHAL OFFICE: DEFENDANT IS ORDERED RELEASE to the Custody of WestCare on Monday, November 2, 2020 at 9:00 AM.

(Copies to: Defendant (through Pretrial) PRETRIAL SERVICES US ATTORNEY US MARSHAL)

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ADDITIONAL CONDITIONS OF RELEASE

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Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

- ☒ (6) The defendant is placed in the custody of:

Name of person or organization John Francis Silva

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

SIGNED: _____

CUSTODIAN

9-9-2020

- ☒ (7) The defendant must:
- ☒ (a) report on a regular basis to the following agency:
Pretrial Services and comply with their rules and regulations;
 - ☒ (b) report as directed to the Pretrial Services Agency upon your release from custody;
 - ☒ (c) restrict your travel to Eastern District of California, unless otherwise approved in advance by PSO;
 - ☒ (d) cooperate in the collection of a DNA sample;
 - ☒ (e) report any contact with law enforcement to your PSO within 24 hours;
 - ☒ (e) not associate or have any contact with Jennifer Figueroa;
 - ☒ (f) not possess any communication device; however, you may use your third-party custodian's cellular phone or land line to communicate with defense counsel, Pretrial Services agency, and treatment providers;
 - ☒ (g) not possess, or have access to a firearm/ammunition, destructive device, or other dangerous weapon; additionally, you must provide written proof of divestment of all firearms/ammunition, currently under your control or owned by Mr. Silva. Additionally, all firearms currently owned by Mr. Silva must be secured in a firearm safe at his residence and you shall not have access to this firearm safe;
 - ☒ (h) submit to drug and/or alcohol testing as approved by the PSO. You must pay all or part of the costs of the testing services based upon your ability to pay, as determined by the PSO;
 - ☒ (i) refrain from any use of alcohol, or any use of a narcotic drug or other controlled substance without a prescription by a licensed medical practitioner; and you must notify Pretrial Services immediately of any prescribed medication(s). However, medical marijuana, prescribed and/or recommended, may not be used;
 - ☒ (j) participate in the substance abuse treatment program at WestCare inpatient facility, and comply with all the rules and regulations of the program as directed by program staff and Pretrial Services; You must remain at the inpatient facility until released by the PSO; A responsible party, approved by Pretrial Services, must escort you to all required court hearings and escort you back to the inpatient facility upon completion of the hearing;
 - ☒ (k) upon successful completion of WestCare inpatient facility you must seek and/or maintain employment and provide proof of same as requested by your PSO;
 - ☒ (l) upon successful completion of WestCare inpatient facility, you must reside with your third-party custodian and you must not absent yourself from this residence for more than 24 hours without prior approval of the PSO;
 - ☒ (m) surrender your passport to the Clerk, United States District Court, and you must not apply for or obtain a passport or any other travel documents during the pendency of this case;
 - ☒ (n) upon completion of the residential program, you must participate in a program of medical or psychiatric treatment including treatment for drug or alcohol dependency, as approved by the PSO; you must pay all or part of the costs of the counseling services based upon your ability to pay, as determined by the PSO;
 - ☒ (o) execute a bond or an agreement to forfeit upon failing to appear or failure to abide by any of the conditions of release, the following sum of money or designated property: A \$300,000 collateral bond secured by the available equity in your mother, Esperanza Marcela Sanchez' rental property;
 - ☒ (p) your release on bond shall be delayed until the posting of the property bond in this matter and

- until a bed space is available at a WestCare's inpatient facility. Pretrial Services will contact WestCare to determine bed space availability upon the posting of the property bond. At which time the Court will be notified in order to determine a release date from custody;
- ☒ (q) upon completion of treatment at WestCare inpatient facility, you must participate in the following Location Monitoring program component and abide by all the requirements of the program, which will include having a location monitoring unit installed in your residence and a radio frequency transmitter device attached to your person. You must comply with all instructions for the use and operation of said devices as given to you by the Pretrial Services Agency and employees of the monitoring company. You must pay all or part of the costs of the program based upon your ability to pay as determined by the PSO. **HOME DETENTION:** You must remain inside your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court ordered obligations; or other essential activities pre-approved by the pretrial services officer. Essential activities include: DMV appointments, banking needs, or other activities that cannot be completed by another person on your behalf; and,

USMS SPECIAL INSTRUCTIONS:

- ☒ (r) your release on bond delayed until 7:00 am following the posting of the financial bond, and upon the availability of bed space at the WestCare inpatient facility. At which time your third-party custodian or an approved party by Pretrial Services will transport you directly from the Fresno County Jail to WestCare facility.

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT: **MORGAN WENCY VENTURA-SANCHEZ**

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.

Morgan Ventura

Defendant's Signature

Directions to the United States Marshal

(☒) The defendant is ORDERED released after processing.

Date: 10/30/2020

B. McAuliffe

Judicial Officer's Signature

BARBARA A. McAULIFFE, U.S. MAGISTRATE JUDGE

Printed name and title